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EXAMINER
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SHINGLES, KRISTIE D

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* KEITH A. LOWERY, DAVID K. DAVIDSON,  
and AVINASH C. SAXENA

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Appeal 2010- 001168  
Application 09/590,760  
Technology Center 2400

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Before JOSEPH L. DIXON, THU A. DANG, and  
JAMES R. HUGHES, *Administrative Patent Judges*.

DIXON, *Administrative Patent Judge*.

DECISION ON APPEAL

## STATEMENT OF THE CASE

A Patent Examiner rejected claims 1-8, 10-16 and 18-29. The Appellants appeal therefrom under 35 U.S.C. § 134(a). We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

### A. INVENTION

The invention at issue on appeal relates in general to client-server systems and, more particularly, to a method and apparatus for content synchronization. (Spec. 1).

### B. ILLUSTRATIVE CLAIM

Claim 1, which further illustrates the invention, follows.

1. A method for processing data comprising:
  - receiving data at a cache server;
  - receiving at a data center manager a data change message from a trigger associated with a data source, the data change message generated in response to a change in the content of the data;
  - generating an expiration command at the data center manager in response to the data change message;
  - receiving the expiration command at the cache server from the data center manager; and
  - marking the data as expired according to the expiration and command.

### C. REFERENCES

The Examiner relies on the following references as evidence:

Rodkin	US 6,748,385 B1	Jun. 8, 2004
Lambert	US 6,038,601	Mar. 14, 2000

### D. REJECTIONS

Claims to are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodkin in view of Lambert.

### ANALYSIS

In the Reply Brief, Appellants repeat the same arguments set forth in the principal Appeal Brief and adds additional paragraphs responding to the Examiner's assertions in the Examiner's Answer. With respect to the arguments advanced in the Appeal Brief (App. Br. 7-11), we find the Examiner's responsive arguments in the Answer to address the merits of Appellants arguments (Ans. 9-13), and we adopt the Examiner's responses as our own.

With respect to the additional contentions set forth by Appellants in the Reply Brief, we find Appellants' contentions to be unpersuasive of error in the Examiner's showing of obviousness over the combination of Lambert and Rodkin. We find Appellants' argument at page 8 of the Reply Brief to be unavailing since the Examiner has set forth the position that the hyperlinks are the data item which is being utilized and having expirations thereto. (Ans. 3, 12). Therefore, Appellants' arguments regarding "caching of text files" is not persuasive since the language of independent claim 1 is not limited to "text files".

Additionally, we find Appellants' responses to the Examiner's responsive arguments found at pages 9, 10, 12-13 and 14 of the Reply Brief to be based upon the same underlying position that the Examiner relies upon the underlying data (text file) rather than the hyperlink. We agree with the Examiner's interpretation and application of the teachings of the Rodkin reference with respect to the hyperlink being applied as the claimed "data." We agree with the Examiner's interpretation since a hyperlink is "data" while it has additional functionality associated therewith. We find the associated functionality does not limit the Examiner's use of the teachings of Rodkin regarding hyperlinks. Therefore, Appellants' arguments do not address the prior art as applied by the Examiner and are not persuasive of error in the Examiner's showing of obviousness.

#### CONCLUSION

For the aforementioned reasons, Appellants have not shown that the Examiner erred in rejecting independent claim 1 under obviousness.

#### ORDER

We affirm the obviousness rejection of claims 1-8, 10-16 and 18-29.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 41.50(f).

#### AFFIRMED

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